

DEPARTMENT  
OF  
INSPECTIONS & APPEALS

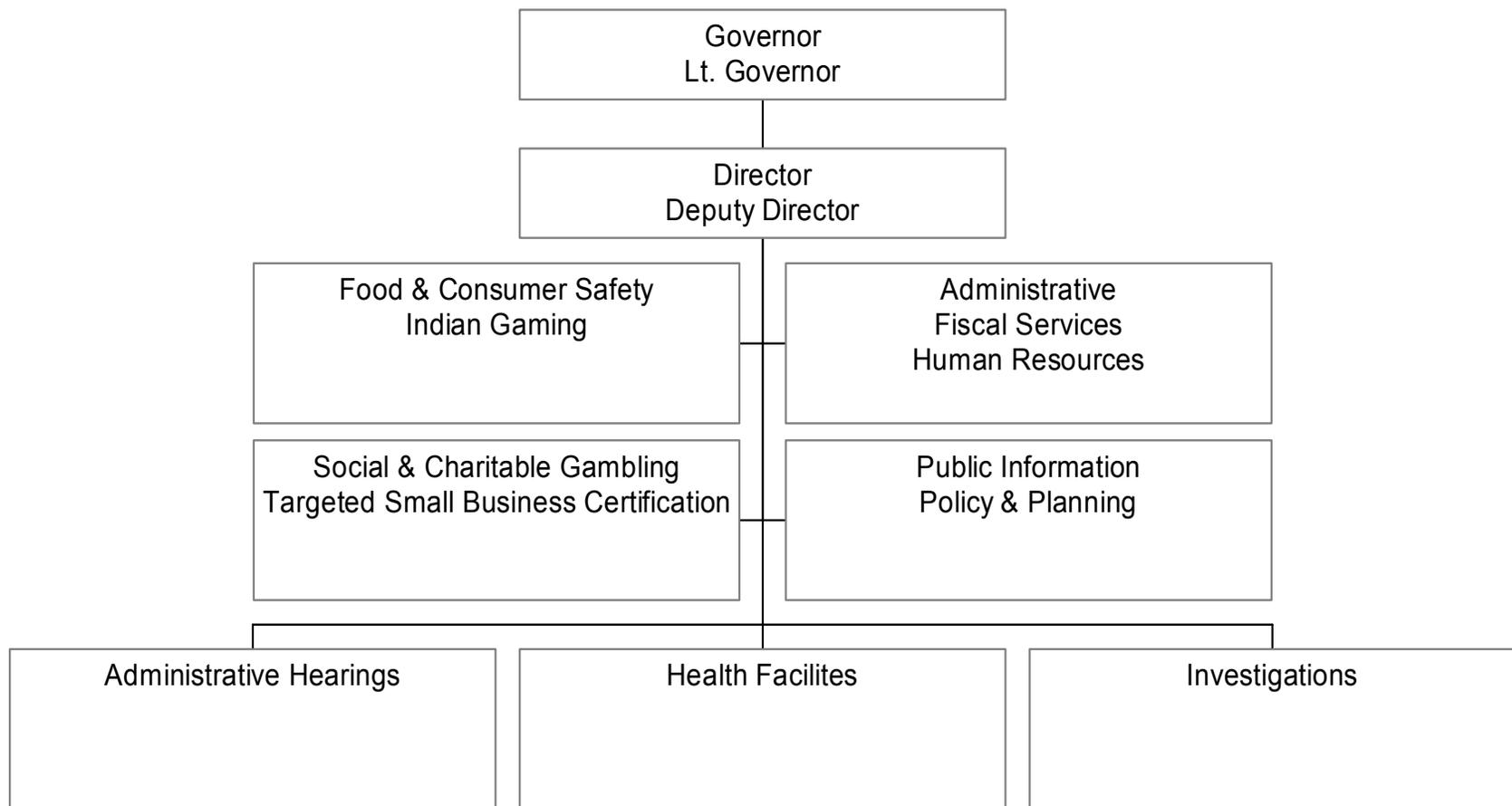
Presentation to the  
Administration/Regulation  
Appropriations Subcommittee

February 9, 2005

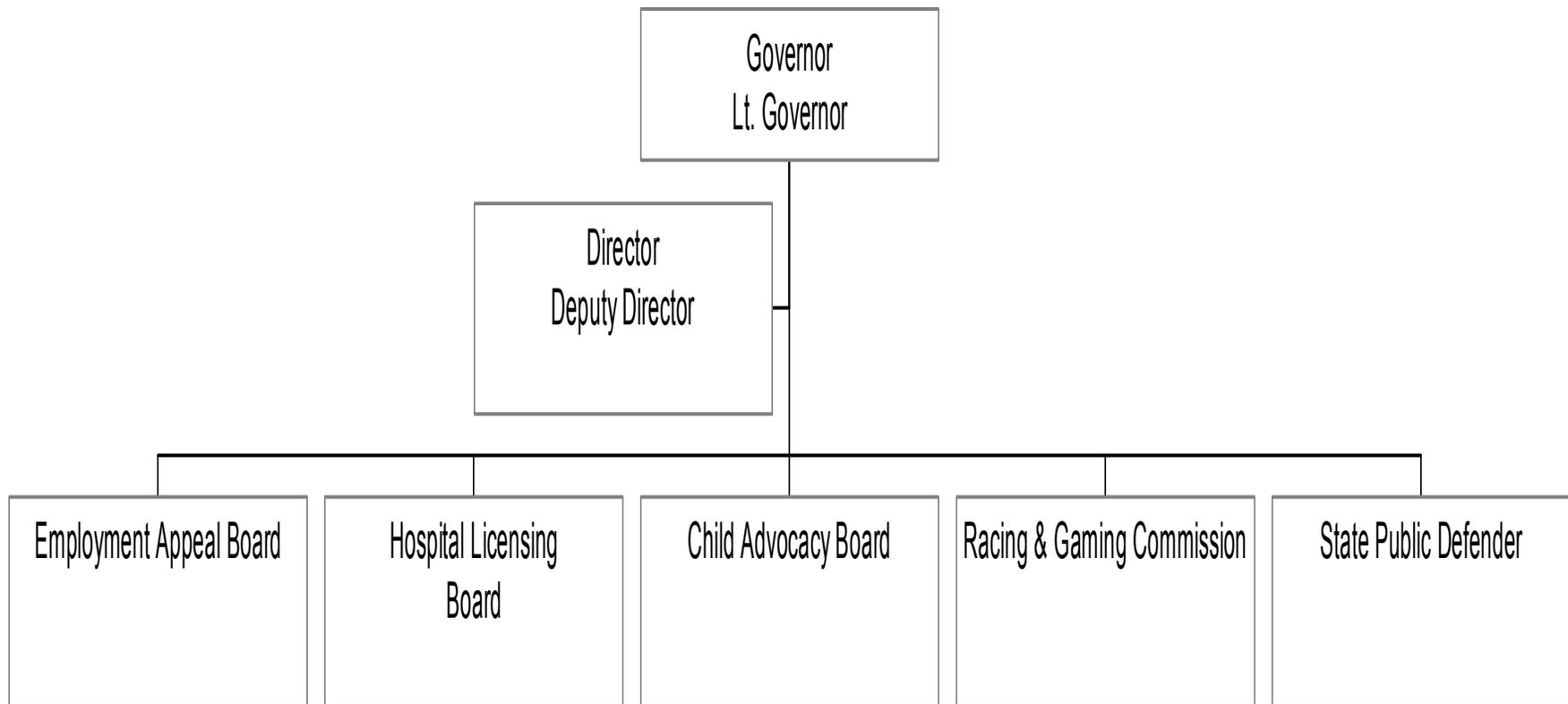
## **DIA Mission**

“The Department of Inspections and Appeals will administer and enforce state and federal laws to provide for the protection of the public interests and ensure program integrity in programs and services administered by the executive branch.”

# DIA Table of Organization



# DIA Attached Units Table of Organization



# General Administration

- Fiscal Services
  - Budget
  - Accounts Receivable and Payable
  - Indigent Defense Claim Processing
- Human Resources
- Public Information
- Policy and Planning
- Indian Gaming
- Administrative Rule Coordination
- Administrative Services
  - Purchasing
  - Travel Coordination
  - Postal and Shipping
  - Vehicle Management
  - Records Management

# Food and Consumer Safety

- Reduce risk of foodborne illness
  - Risk-based inspections
  - Scientific-based standards
  - Training and Education
  - Complaint investigations
  - Contract compliance monitoring
  - 24.8 Iowans per 100,000 population – 2003
  - 27.5 Iowans per 100,000 population - 2004
- Reduce risk of unsanitary conditions
  - Hotels/Motels

# Social & Charitable Gambling

- Integrity of social and charitable gambling
  - Licensing of Bingo, Raffles, Games at fairs
  - Registration of Amusement Devices
  - Complaint Investigations
  - Auditing quarterly reports
  - Joint efforts with DCI, Revenue, Alcoholic Beverages Division, IRS, local law enforcement

# Targeted Small Business Certification

- Create and expand Iowa Targeted Small Businesses (TSB)
  - Joint effort by DAS, DED, and DIA
  - DIA certifies eligible businesses
    - Participation in loan programs
    - State and local purchasing opportunities
  - On-line Directory available to the public

# Administrative Hearings

- Provide an Administrative Due Process
  - Fair and equitable
  - Impartial ALJs
  - Timely heard
  - Based on federal or state legal requirements
  - Most by electronic means (telephone)
  - Both sides have opportunity to be heard
  - Reduced financial and time burden on the courts
  - Reduced financial and time burden on the appellants and state agencies

# Health Facilities

- Safe & Quality Care for Adults & Children
  - Regular unannounced inspections
    - Health Care Facilities
    - Assisted Living Programs, Elder Group Homes, Adult Day Services Programs
    - Medicare-certified hospitals, home health agencies, hospice programs, etc.
    - Psychiatric Medical Institutions for Children
    - Foster care facilities, detention centers, etc.
  - Timely and thorough investigations of complaints, included Dependent Adult Abuse
  - Appropriate enforcement action

# Abuse Coordinating Unit

- Improved process
- Consistent increase in DAA allegations in health care facilities, especially nursing facilities
  - FY02: 601
  - FY03: 925
  - FY04: 1277
- Specially-trained staff
- Respond faster to complaints
- Abusers more quickly removed from working where vulnerable Iowans live and receive care

# Investigations

- Ensure public assistance resources go to only eligible persons
  - Recovery of overpayments
    - Over \$2.1 million collected in FY04
  - Fraud investigations
    - Family Investment Program
    - Food Assistance Program
    - Child Care Assistance
  - Medicaid Fraud Control Unit
    - Provider fraud investigations
    - Criminal Dependent Adult Abuse investigations
    - Divestiture

# Investigations cont'd.

- Prevent harm to consumers by licensed health professionals
  - Timely provide information to DPH for them to determine if disciplinary action should be taken against licensed health professionals
- Access to care and services
  - Conduct timely audits
    - Resident trust accounts
    - State/federal financial assistance for health care facilities and residents of these facilities
    - Local DHS offices
  - \$1.8 million in FY04 reimbursed to residents or government

# Employment Appeal Board

- Enhance workplace health and safety
  - Timely adjudication of Labor Commissioner Appeals
    - OSHA
    - Construction Contractor Registration
  - Alternative dispute resolution forum for citizens
    - Reduce burden on the court system
    - Reduce burden on the aggrieved parties

# Child Advocacy Board

- Provide oversight of and advocacy for children in the child welfare and court systems
  - Promote permanency on a case-by-case basis
  - Protect federal funding for maintenance of children in care Foster Care Review Board Program
  - Identify barriers to permanency
  - Advocate elimination of identified barriers on a systemic level
- Two Programs
  - Court-Appointed Special Advocate Program (CASA)
  - Iowa Citizen Foster Care Review Board Program

# Racing & Gaming Commission

- Integrity of pari-mutuel wagering and excursion gambling boats operations and participants
  - Facility, Operator and Occupational Licensing
  - Racing animal welfare
  - Compliance with all rules and statutes
  - Information accessible to the public

# State Public Defender

- Provide fair, equitable, and timely defense services to clients
  - Constitutional mandate
  - Legal representation to eligible clients in criminal, juvenile and appellate court, and in certain civil commitment cases
    - Public Defender System
    - Contract Private Attorneys
    - Non-contract Private Attorneys

# FY06 BUDGET

- Generally Status Quo
- Health Facilities
  - Increase of 3.5 FTEs to convert contract monitors for Adult Services Bureau
- Racing and Gaming
  - Increase 5 FTE to allow positions to travel between existing facilities to ensure the legality of the expanding number of slot machines and new games replacing existing games
  - Support costs
  - General Fund 100% reimbursed by the tracks and boats

# Intent Language

- Food and Consumer Safety
  - Contingency language to provide funds in the event contracted food inspections is placed back with DIA
- Amusement Devices
  - Language to provide sufficient funds for DIA and DCI to administer and enforce amusement device laws under chapter 99B

# Intent Language cont'd.

- Racing and Gaming
  - Contingency language to provide funding if the Commission issues new licenses and the boats become operational during FY06
  - All funding is 100% reimbursed by the boats
  - Same language as used in prior years

# Contact Information

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